10191/2232

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Gerhard HERBIG et al.

International Application No.

PCT/DE00/02411

International Filing Date

20 July 200**0**

U.S. Serial No.

10/031,782

For

METHOD OF ADAPTIVE ADJUSTMENT OF

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Commissioner for Patents

Box PCT

Washington, D.C. 20231

Attention: DO/EO/US

RESPONSE TO MISSING REQUIREMENTS <u>UNDER 35 U.S.C. 371</u>

SIR:

In response to the Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US) (mailed March 27, 2002), Applicants submit herewith a fully executed Declaration, in order to complete the filing requirements for the U.S. national phase of the above-identified PCT application. The application filed in the Patent Office is the application which the inventors executed by signing the Declaration and Power of Attorney. A copy of the Notification of Missing Requirements is enclosed.

The Office is authorized to charge the \$130.00 fee to cover the surcharge for late filing of the Declaration and any additional fees to Deposit Account No. 11-0600.

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Respectfully submitted,

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Date: 5/24/02

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United States Patent and Trademark Office'

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U.S. APPLICATION NUMBER NO. FIRST NAMED APPLICANT ATTY, DOCKET NO. 10/031,782 10191/2232 Gerhard Herbig

ur id

INTERNATIONAL APPLICATION NO.

PCT/DE00/02411

I.A. FILING DATE

PRIORITY DATE

07/20/2000

26646 **KENYON & KENYON** ONE BROADWAY NEW YORK, NY 10004

CONFIRMATION NO. 8489 371 FORMALITIES LETTER *OC000000007721184*

Date Mailed: 03/27/2002

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- U.S. Basic National Fees
- Copy of IPE Report
- · Copy of references cited in ISR
- Copy of the International Application
- · Copy of the International Search Report
- Oath or Declaration
- Preliminary Amendments
- Request for Immediate Examination

The following items MUST be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
 - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTH FROM THE DATE OF THIS NOTICE OR BY 22 or 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed



to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

A copy of this notice MUST be returned with the response.

LAMONT M HUNTER

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PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY, DOCKET NO.
10/031,782	PCT/DE00/02411	10191/2232

FORM PCT/DO/EO/905 (371 Formalities Notice)